

§ 63.50

or below the benchmark settlement rate adopted for that country in IB Docket No. 96-261. (See § 63.18(e)(3)-(4).) If at any time the Commission finds, after an initial determination of compliance for a particular country, that the country no longer provides equivalent resale opportunities or that market distortion has occurred in the routing of traffic between the United States and that country, carriers shall comply with enforcement actions taken by the Commission. This condition shall not apply to a carrier's use of its authorized facilities-based private lines to provide service as described in § 63.18(e)(4)(ii)(B).

(b) Carriers must file copies of operating agreements entered into with their foreign correspondents within 30 days of their execution, and shall otherwise comply with the filing requirements contained in § 43.51 of this chapter.

(c) Carriers must file tariffs pursuant to Section 203 of the Communications Act, 47 U.S.C. 203, and part 61 of this chapter.

(d) Carriers must file annual reports of overseas telecommunications traffic as required by § 43.61 of this chapter.

(e) Authorized carriers may not access or make use of specific U.S. customer proprietary network information that is derived from a foreign network unless the carrier obtains approval from that U.S. customer. In seeking to obtain approval, the carrier must notify the U.S. customer that the customer may require the carrier to disclose the information to unaffiliated third parties upon written request by the customer.

(f) Authorized carriers may not receive from a foreign carrier any proprietary or confidential information pertaining to a competing U.S. carrier, obtained by the foreign carrier in the course of its normal business dealings, unless the competing U.S. carrier provides its permission in writing.

(g) The Commission reserves the right to review a carrier's authorization, and, if warranted, impose additional requirements on U.S. international carriers in circumstances where it appears that harm to competition is occurring on one or more U.S. international routes.

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(h) Carriers regulated as dominant must provide the Commission with the following information within 30 days after conveyance of transmission capacity on submarine cables to other U.S. carriers:

(1) The name of the party to whom the capacity was conveyed;

(2) The name of the facility in which capacity was conveyed;

(3) The amount of capacity that was conveyed; and

(4) The price of the capacity conveyed.

[61 FR 15732, Apr. 9, 1996, as amended at 62 FR 45762, Aug. 29, 1997; 62 FR 64758, Dec. 9, 1997]

GENERAL PROVISIONS RELATING TO ALL APPLICATIONS UNDER SECTION 214

§ 63.50 Amendment of applications.

Any application may be amended as a matter of right prior to the date of any final action taken by the Commission or designation for hearing. Amendments to applications shall be signed and submitted in the same manner, and with the same number of copies as was the original application. If a petition to deny or other formal objections have been filed to the application, the amendment shall be served on the parties.

(Sec. 303, 48 Stat. 1082, as amended; 47 U.S.C. 303)

[41 FR 20662, May 20, 1976]

§ 63.51 Additional information.

The applicant shall furnish any additional information which the Commission may require after a preliminary examination of the application or request. Where an applicant fails to respond to official correspondence or request for additional material, the application may be dismissed without prejudice.

(Sec. 303, 48 Stat. 1082, as amended; 47 U.S.C. 303)

[41 FR 20662, May 20, 1976]

§ 63.52 Copies required; fees; and filing periods for domestic authorizations.

(a) Unless otherwise specified the Commission shall be furnished with an original and 5 copies of applications